

Message Text

CONFIDENTIAL

PAGE 01 PEKING 00348 240042Z
ACTION EA-09

INFO OCT-01 ISO-00 L-03 CPR-01 OC-06 CCO-00 /020 W
-----240351 019450 /66

R 230915Z FEB 77
FM USLO PEKING
TO SECSTATE WASHDC 7281
INFO AMEMBASSY BANGKOK

C O N F I D E N T I A L PEKING 0348

DEPARTMENT FOR EA/PRCM; BANGKOK FOR BRDCO

E.O. 11652: GDS-1
TAGS: OGEN, PDIP, AFSP, CH
SUBJ: PRC CUSTOMS REGULATIONS

REF: (1) PEKING 0012, (2) PEKING A-1 JANUARY 3, 1977

1. SUMMARY. THERE ARE INDICATIONS THAT PEKING CUSTOMS OFFICIALS ARE BECOMING MORE STRINGENT IN APPLICATION OF PRC'S NEW REGULATIONS AND PROCEDURES SUBMITTED TO THE DEPARTMENT UNDER REF 2. END SUMMARY.

2. ARTICLE VII OF NEW REGULATIONS WHICH WENT INTO EFFECT ON JANUARY 1, 1977 STATES IN PART, "THOSE BAGS WHOSE IMPORT OR EXPORT IS ... DONE THROUGH CONSIGNMENT SHIPPING SHALL BE DISPATCHED OR RECEIVED PERSONALLY BY A DIPLOMATIC OFFICER OR SOMEONE WITH STATUS OF A DIPLOMATIC COURIER ..." AIRPORT AND RAIL CUSTOMS OFFICIALS INTERPRET THIS TO MEAN THAT NO LOCAL, I.E., CHINESE, CAN DELIVER OR TAKE DELIVERY OF ANY POUCH MATERIAL. OFFICIALS HAVE REJECTED SEVERAL REQUESTS TO PERMIT USLO DRIVERS OR MESSENGERS TO ACCEPT OR GIVE UNCLASSIFIED POUCHES. THIS MEANS THAT A USLO OFFICER WEEKLY SPENDS AN AVERAGE OF TWELVE HOURS AWAY FROM THE OFFICE TAKING DELIVERY OF OR DELIVERING POUCHES.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PEKING 00348 240042Z

3. THIS PAST WEEK, USLO ISSUED A LETTER TO A DEPEND-ENT WIFE DESIGNATING HER AS A USLO COURIER. TO DATE THIS NEW SYSTEM HAS WORKED; CUSTOMS OFFICIALS HAVE ACCEPTED THE WIFE'S DESIGNATION. POST PLANS TO CONTINUE USING THE WIFE FOR RAILWAY AND AIRPORT POUCH HANDLING UNTIL CHALLENGED BY PRC.

4. A RECENT CHECK OF OTHER WESTERN DIPLOMATIC MISSIONS INDICATES ALL ARE BEING REQUIRED TO ADHERE TO CITED REGULATION. USLO HOWEVER IS ONLY MISSION WE KNOW OF WHICH HAS STARTED USING DEPENDENT AS COURIER.

5. MORE SERIOUS PROBLEMS HOWEVER MAY DEVELOP IN THE FUTURE. ARTICLE VII ALSO STATES "DIPLOMATIC BAGS OF FOREIGN DIPLOMATIC MISSIONS, WHETHER OUTBOUND OR INCOMING, MAY CONTAIN NOTHING EXCEPT DIPLOMATIC PAPERS, REFERENCE MATERIAL AND STATIONARY ..." ARTICLE VII GOES ON TO STATE, "THE CUSTOMS WILL RELEASE WITHOUT INSPECTION ALL DIPLOMATIC BAGS THAT CONFORM WITH THE ABOVE CONDITIONS."

6. TO DATE USLO HAS NOT BEEN CHALLENGED AS TO CONTENTS OF POUCHES ALTHOUGH WE ARE NOW HAVING TO GIVE MORE CONCISE INFORMATION AS TO CONTENTS OF INCOMING HHE LIFTVANS, CONSUMABLES, AND OFFICIAL SHIPMENTS. THIS WEEK HOWEVER OFFICER FROM FRENCH EMBASSY STATED THAT PEKING CUSTOMS OFFICIALS HAD REQUESTED DECLARATION OF CONTENTS OF UNCLASSIFIED INCOMING UNACCOMPANIED FRENCH AIR POUCH. FRENCH OFFICER INFORMED USLO THAT EMBASSY UNABLE TO DECLARE CONTENTS BECAUSE "POUCH HAS CODE BOX IN IT WHICH WE NEED IN EMBASSY." AFTER SEVERAL UNSUCCESSFUL ATTEMPTS TO GET POUCH RELEASED, FRENCH INFORMED CUSTOMS OFFICER, "POUCH CONTAINS EQUIPMENT FOR EMBASSY USE." ACCORDING TO FRENCH OFFICER, CUSTOMS CONFIDENTIAL

CONFIDENTIAL

PAGE 03 PEKING 00348 240042Z

OFFICIALS STATED, "EQUIPMENT IS NOT ALLOWED IN A POUCH BECAUSE IT IS NOT DIPLOMATIC MATERIAL." AFTER FIFTEEN DAYS OF IMPOUNDMENT OF POUCH, CUSTOMS RELEASED IT UPON INTERVENTION OF FRENCH AMBASSADOR.

7. USLO IS APPREHENSIVE THAT CUSTOMS OFFICIALS MAY AT SOME FUTURE DATE CHALLENGE CONTENTS OF EITHER OUR ACCOMPANIED OR UNACCOMPANIED POUCHES BECAUSE CONTENTS OBVIOUSLY MAY BE EQUIPMENT AND THEREFORE NOT IN ACCORDANCE WITH ARTICLE VII.

8. ARTICLE VIII MENTIONS THAT JANUARY 1 REGULATIONS DO NOT OVER-RIDE RECIPROCITY OF A BILATERAL AGREEMENT. POST HAS NO KNOWLEDGE OF A POUCH PROTOCOL BETWEEN US AND PRC WHICH WOULD TAKE PRECEDENCE IN EVENT CUSTOMS AUTHORITIES DO CHALLENGE POUCH CONTENTS. IF ANY BILATERAL MEMORANDUM DOES EXIST, POST WOULD APPRECIATE RECEIVING COPY OF IT.

9. USLO WILL CONTINUE TO MONITOR THIS SITUATION AND
KEEP DEPARTMENT INFORMED SHOULD ANY ADDITIONAL
INFORMATION BECOME AVAILABLE.

10. ACTION REQUESTED. (1) INFORMATION FROM DEPARTMENT
AS TO WHETHER BILATERAL MEMORANDA EXIST WHICH WOULD
HAVE BEARING ON THIS SUBJECT. (2) GUIDELINES DEPARTMENT
RECOMMENDS POST SHOULD FOLLOW IF POUCH IS CHALLENGED.
GATES

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, CUSTOMS ADMINISTRATION
Control Number: n/a
Copy: SINGLE
Sent Date: 23-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977PEKING00348
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770063-0724
Format: TEL
From: PEKING
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770217/aaaaapgd.tel
Line Count: 125
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 8a2961c0-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 PEKING 12, 77 PEKING A-1
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3252746
Secure: OPEN
Status: NATIVE
Subject: PRC CUSTOMS REGULATIONS
TAGS: OGEN, PDIP, AFSP, CH
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/8a2961c0-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009